

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CIVIL ACTION NO. 3:22-MD-03036-KDB**

**IN RE: GARDASIL PRODUCTS
LIABILITY LITIGATION**

MDL No. 3036

**THIS DOCUMENT RELATES TO
ALL NON-BELLWETHER CASES
LISTED IN APPENDIX A TO THE
NOTICE OF APPEAL**

PLAINTIFFS' NOTICE OF APPEAL

Notice is hereby given that the non-Bellwether Plaintiffs that alleged POTS and/or POI (“Non-Bellwether POTS and POI Plaintiffs”)¹ hereby appeal to the United States Court of Appeals for the Fourth Circuit from the final judgment entered by the United States District Court, Western District of North Carolina, Charlotte Division, on June 24, 2025 (Doc No. 317) and the following decisions subsumed in that judgment:

1. The February 20, 2025 Order (Doc. No. 286) partially granting and denying Defendants’ Merck & Co., Inc. and Merck Sharpe & Dohme LLC’s Motion to Exclude Expert Report and Testimony of Dr. Stephen Amato (Doc. No. 185).
2. The March 11, 2025 Order (Doc. No. 305) granting Defendants’ Motion for Summary Judgment Based on Implied Preemption (Doc. No. 188).

¹ The “Non-Bellwether POTS and POI Plaintiffs” (sometimes referred to only as “Plaintiffs” in this Notice of Appeal) are listed in Appendix A attached hereto. The Court entered summary judgment as to the Bellwether Plaintiffs on March 11, 2025 (Doc. No. 305). The Bellwether Plaintiffs previously filed their Notice of Appeal to that Judgment and that appeal is ongoing before the Fourth Circuit [No. 25-1383].

3. The June 27, 2024 Order (Doc. No. 156) denying Bellwether Plaintiffs' Motion to Limit Application of the Court's Order on Defendant's Motion for Partial Judgment on the Pleadings to Plaintiffs Bergin² and America³ and Motion to Find that Subjecting Gardasil Personal Injury Claims to the Vaccine Act Violates the Presentment Clause of the United States Constitution (Doc. No. 136).
4. The March 20, 2024 Order (Doc. No. 132) granting in part and denying in part Defendants' Motion for Partial Judgment on the Pleadings (Doc. No. 68).
5. All prior adverse orders of the District Court which have now merged into the judgment entered on June 24, 2025.

Dated: July 11, 2025

Respectfully submitted,

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² *Bergin v. Merck & Co., Inc., et al.* Case No. 3:22-CV-00117

³ *America v. Merck & Co., Inc., et al.* Case No. 3:22-CV-00585

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Appendix A

Plaintiff Name	Case No.
Aguilar, Jordan	3:24-cv-00279
Aguilera, Madison	3:23-cv-00842
Alexander, Whitney	3:23-cv-00157
Allen, Christy obo E.A.	3:23-cv-00772
Ampedu, Laurencia obo J.A.	3:23-cv-00126
Argiri, Lauren	3:24-cv-00185
Balasco, Julia	3:22-cv-00386
Barber, Sharee obo Ab.B.	3:24-cv-00229
Barger, Rebecca	3:24-cv-00592
Bello, Cristal	3:23-cv-00806
Bergin, Payton	3:22-cv-00117
Bernhang, Denise obo B.B.	3:24-cv-00245
Betancourt, Valerie	3:24-cv-00003
Blinstrubas, T.J. & D. obo C.A.B.	3:24-cv-00126
Boss, Catherine	3:22-cv-00552
Brady, Samantha	3:23-cv-00209
Butler, Skylee	3:22-cv-00406
Canitz, Shannon	3:22-cv-00435
Cantalupo, Alexandra	3:24-cv-00301
Carleson, Kylee A.	3:23-cv-00675
Coggins, Heather	3:24-cv-00964
Colbath, Michael	3:22-cv-00398
Cordell, Hailey	3:24-cv-00877
Counts, Madeline	3:22-cv-00443
Dalton, Ashley	3:22-cv-00387
Daniel, Madeline	3:24-cv-00116
Davis, Hannah	3:23-cv-00149
Dempsey, Kristen	3:24-cv-00762
Doyle, Katherine	3:24-cv-01048
Drummond, Grace	3:23-cv-00486
Eshelman, Avery	3:22-cv-00424
Eskew, William	3:24-cv-00193
Flores, Alexa	3:24-cv-00289
Flores, Soriely	3:23-cv-00302
Ford, Aaron	3:24-cv-00078
Foster, Hannah	3:23-cv-00120
Gardett, Mackenzie	3:23-cv-00851
Grabish, Teagan	3:23-cv-00830
Graves, Paige	3:22-cv-00445
Graziano, Elizabeth obo S.G.	3:24-cv-01036
Guillen, Justine	3:25-cv-00031

Guzman, Lynn, individually, and as administrator of the estate of Sydney M. Figueroa (minor decedent)	3:24-cv-00177
Hall, Alina	3:24-cv-00965
Harnocz, Mary	3:24-cv-00149
Hartle, Ethan	3:22-cv-00427
Hass, Emily	3:23-cv-00671
Heisey, Brianna	3:23-cv-00641
Helton, Katherine	3:24-cv-00830
Herlth, Korrine	3:21-cv-00444
Hinson-Sherwood, Karessa	3:24-cv-00555
Hoard, Melanie obo R.H.	3:23-cv-00877
Hoddick, Jeffrey	3:22-cv-00394
Horochak, Caroline	3:24-cv-01077
Huie, Hannah	3:24-cv-00069
Hull, Mary Annalee	3:25-cv-00154
Iroku, Matthew	3:24-cv-00505
Kieft, Gwendolyn	3:23-cv-00636
Kirby, Morgan	3:24-cv-00543
Kline, Sylvia obo B.H.	3:24-cv-00115
Krausert, Emma	3:25-cv-00024
Krupp, Anna	3:24-cv-00492
Landers, Elizabeth obo I.L.	3:22-cv-00385
Landers, Krista	3:22-cv-00360
Lemay-Assh, Chloe	3:24-cv-00630
Lukas, Sarah	3:22-cv-00425
Maiella, Kristilee	3:24-cv-00270
McCann, John	3:24-cv-00831
McClain, Jency obo M.M.	3:23-cv-00115
Meier, Joseph	3:23-cv-00773
Miller, Hunter	3:24-cv-00099
Morefield, Crystal obo A.J.	3:24-cv-00210
Muller, Ashley	3:22-cv-00390
Needham, Tessa	3:24-cv-00291
Neves, Isabella	3:22-cv-00446
Nickels, Clara	3:23-cv-00121
Nikolov, Macaylee	3:24-cv-01101
Nowakowski, Alexis	3:23-cv-00847
Nunez, Alexandra	3:22-cv-00508
O'Brien, Krista	3:22-cv-00440
Orm, Autumn	3:23-cv-00455
Parsons, Natalie	3:24-cv-01034
Pennell, Mackenzie	3:22-cv-00426
Petz, Haley	3:24-cv-00009
Phillippi, Haley	3:23-cv-00740

Prudden, Christina	3:22-cv-00429
Punswick, Anna	3:22-cv-00131
Raimond, Jenna	3:25-cv-00072
Raymer, Jessica	3:22-cv-00359
Reddicks, Arianna	3:22-cv-00438
Robinson, Alyssa	3:24-cv-00292
Showalter, Katherine	3:23-cv-00438
Silver, Ruby	3:22-cv-00384
Sullivan, Emma	3:22-cv-00400
Sumrall, Jayden	3:23-cv-00109
Tilley, Olivia	3:23-cv-00158
Turner, Amy	3:24-cv-00647
Unrath, Tricia obo A.U.	3:24-cv-00117
Vacher, Mikayla	3:24-cv-00294
Vinson, Joseph	3:24-cv-00938
Walker, Angela	3:23-cv-00433
Walker, Sahara	3:22-cv-00388
Wall, Georgia	3:23-cv-00122
Warren, Andrea Mae	3:24-cv-00764
Wilfong, Alyssa	3:23-cv-00119
Wingerter, Ken & Shaun obo H.W.	3:22-cv-00402
Wren, Willow	3:24-cv-00428
Zimmerman, Carly	3:23-cv-00128

CERTIFICATE OF SERVICE

A copy of this filing was served on all counsel of record through this Court's electronic filing system.

/s/ Paul J. Pennock
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Co-Lead Counsel for Plaintiffs